

INFORMATION TO OFFERORS - DAVIS-BACON ACT

Any subcontract resulting from this solicitation is subject to the Davis-Bacon Act. The following describes some of the basic requirements of the Act. BSRI in no way warrants that these items represent your total obligations under the Act nor does BSRI assume any obligation to ensure that offers submitted in response to this solicitation fully comply with the Act. Each offeror has the sole responsibility to ensure that its offer fully complies with the Act and the regulations at 29 CFR Part 5 which implement the Act. The subcontract awardee will be required to comply with the Act, the regulations, and the Department of Labor's wage determination (enclosed). Failure to comply with the Act shall constitute a breach of this contract as well as a violation of the Act. A local office of the U.S. Department of Labor should be contacted if you have more specific questions on the requirements of the Act.

Those offices are:

Augusta, GA	(706) 860-6557
Atlanta, GA	(404) 331-4306
Columbia, SC	(803) 765-5981

CLASSIFICATION OF WORKERS

The wage determination incorporated in the subcontract lists several classifications of workers. Selecting the appropriate classification is the responsibility of the Subcontractor, based upon a review of the duties required in the Subcontract Documents and the type of work performed by the employee. The prevailing work practices at Savannah River Site (SRS) may differ from industry standard. The subcontractor is responsible for considering these practices in its proposal. BSRI has certain compliance responsibilities. No adjustments to this subcontract will be granted for the Subcontractor's failure to properly classify employees.

If the subcontractor employs any apprentices, BSRI will request a copy of the program registration for that employee. Failure to obtain and submit such registration will result in a requirement to pay journeymen rates for such apprentices.

WAGES

The wage rates stipulated in the enclosed wage determination are the hourly rates for work at SRS. The subcontractor is responsible for paying the prevailing rate to the worker for the classification of work actually performed.

Overtime must be paid at time and one-half the basic rate or the regular rate, whichever is higher, and the designated fringe benefits rate must be paid for all hours worked under this subcontract. The hours worked by an employee on both BSRI and non-BSRI work are to be included in the calculation of hours worked for overtime purposes.

Construction workers employed under this subcontract are entitled to receive the fringe benefits stipulated in the wage determination. The subcontractor may discharge its obligations under this provision by 1) providing bona fide plans, funds, or programs, the minimum value of which is the monetary amounts shown in the wage determination; 2) providing plans, funds, or programs of a lesser value and paying the difference in wages to the employee; 3) paying a cash equivalent to the employee. The subcontractor may be required to provide justification for the differential of fringe benefits.

PAYROLLS

The subcontractor is required to submit payrolls for its covered employees and all Lower-tier subcontractor employees to the Subcontracts Specialist within seven (7) days of close of the pay period. The payrolls must be accompanied by a signed "Statement of Compliance," certifying the information is correct and complete. The subcontractor is responsible for compliance with 29 CFR Part 3.

The minimum information required on all payrolls is shown on the enclosed BSRI form, "Subcontractor Payroll Certification". The following provides guidance for some of the items on this form:

1. Item 3 is the employee's work classification as listed in the wage determination. A company code or other abbreviations are not acceptable.
2. Item 4 is for the hours worked each day while under this subcontract. Hours worked on other jobs shall not be listed on payrolls submitted under this subcontract.
3. Item 5 should only include the total hours worked under this subcontract.
4. Item 6 is for the rate of pay for the work classification listed in item 3 of the payroll.
5. On the back of the form, item 4, one or both of the blocks must be checked, as applicable. As part of the certification, the payrolls must state how the fringe benefits are accounted for.

STATEMENT AND ACKNOWLEDGMENT FORM

The subcontractor is required to deliver, fourteen (14) days after award, a completed "Statement and Acknowledgment Form", (SF 1413), for each Lower-tier subcontract. This includes the Lower-tier Subcontractor's signed and dated acknowledgment that paragraph A of Article A.57 - "Lower-Tier Subcontractors (Labor Standards)" of the Construction General Provisions (enclosed) has been included in the Lower-tier subcontract.